

***IN THE DISTRICT COURT OF THE UNITED STATES
for the Western District of New York***

**OCTOBER 2023 GRAND JURY
(Impaneled 10/27/2023)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

25-CR-

**ERNEST W. BROWN a/k/a Wayne
Perry, a/k/a Wayne Brown**

Violations:

Title 21, United States Code, Sections
841(a)(1) and 846

JAMES E. JACKSON a/k/a Bookah

(1 Count, Serious Drug Felony
Allegation, and Forfeiture Allegation)

COUNT 1

(Narcotics Conspiracy)

The Grand Jury Charges That:

Beginning in or before 2021, the exact date being unknown to the Grand Jury, and continuing until on or about May 26, 2022, in the Western District of New York, and elsewhere, the defendants, **ERNEST W. BROWN a/k/a Wayne Perry, a/k/a Wayne Brown**, and **JAMES E. JACKSON a/k/a Bookah**, did knowingly and intentionally combine, conspire, and agree together and with Joseph S. Zaso and others, known and unknown to the Grand Jury, to commit the following offenses, that is: to possess with intent to distribute, and to distribute, 400 grams or more of a mixture and substance containing N-

phenyl-N-[1-(2-phenyl-ethyl)-4-piperidiny] propanamide (fentanyl), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

**ALLEGATION OF PRIOR CONVICTION
FOR A SERIOUS DRUG FELONY**

Before the defendant, **ERNEST W. BROWN a/k/a Wayne Perry, a/k/a Wayne Brown**, committed the offenses charged in Count 1 of this Indictment, the defendant had a final conviction for a serious drug felony, that is, a violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), for which the defendant served more than 12 months of imprisonment and for which the defendant was released from serving any term of imprisonment related to the offense within 15 years of the commencement of the instant offense.

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of Count 1 of this Indictment, the defendants, **ERNEST W. BROWN a/k/a Wayne Perry, a/k/a Wayne Brown** and **JAMES E. JACKSON a/k/a Bookah**, shall forfeit to the United States, all their right, title, and interest in any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said violation and/or any and all property used, and intended to be used, in any manner or part, to commit or to facilitate the commission of said violation, including but not limited to:

MONETARY JUDGMENT:

A monetary judgment in the amount of one hundred and forty thousand dollars (\$140,000) United States currency or an amount to be determined by the Court, equal to the total amount of proceeds obtained as a result of the offense for

which the defendants are charged, evidenced by a forfeiture money judgment issued by the Court.

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence,
- (b) has been transferred or sold to, or deposited with, a third person,
- (c) has been placed beyond the jurisdiction of the Court,
- (d) has been substantially diminished in value, or
- (e) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

All pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 853(p).

DATED: Buffalo, New York, February 18, 2025.

JOEL LOUIS VIOLANTI
Acting United States Attorney

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A TRUE BILL:

S/FOREPERSON
FOREPERSON